

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

KENNETH A. BROOKS,

Plaintiff,

V.

**KILOLO KIJAKAZI,
ACTING COMMISSIONER
OF SOCIAL SECURITY,**

Defendant.

Case No. 2:21CV00010

ORDER

JUDGE JAMES P. JONES

It appearing that no objections have been timely filed to the Report filed August 4, 2022, setting forth the findings and recommendations of the magistrate judge, it is **ORDERED** as follows:

1. The Report and its findings and recommendations are wholly ACCEPTED and APPROVED;
2. The motions for summary judgment by the parties are DENIED; and
3. The final decision of the Commissioner of Social Security is VACATED and this action is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration in accord with the Report.

ENTER: August 23, 2022

/s/ JAMES P. JONES
Senior United States District Judge